

Serial No. 10/763,994

Amendment in Resp. to Off. Action of Aug. 8, 2006

UTILITY PATENT

B&D No. JK01244

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REMARKS

Applicant has amended Claims 1 and 9. Currently in the above-identified application therefore are Claims 1-15.

The Examiner has rejected Claims 1-15 under 35 USC § 103(a) as being unpatentable over US Patent No. 5,447,085 ("Gochnauer"), in view of US Published Application No. 2002/0174755 ("Behne"), and US Patent No. 4,615,247 ("Berkeley") and further in view of US Patent No. 6,170,370 ("Sommerville"). Reconsideration and withdrawal of this rejection is respectfully requested.

Even if Gochnauer, Behne, Berkeley and Sommerville were to be combinable, the resulting combination would have a side pressure splitter disposed underneath the anti-kickback pawl, as alleged by the Examiner. However, no portion of the splitter would be disposed downstream of the anti-kickback pawl as Berkeley's anti-kickback pawl 34 is much wider than Gochnauer's splitter 20.

By contradistinction, independent Claims 1 and 9 require "a side pressure splitter disposed on the body below the first pawl... and having a portion disposed downstream of the circular saw blade and the first pawl." Because the Gochnauer/Behne/Berkeley/Sommerville combination does not have such arrangement, the combination cannot render unpatentable Claims 1 and 9 and their respective dependent claims.

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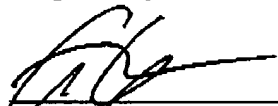
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In view of the foregoing, all the claims are patentable and the application is believed to be in condition for formal allowance. Reconsideration of the application and allowance of Claims 1-15 are respectfully requested.

The Commissioner is authorized to charge payment of a one-month extension fee (\$120.00), as well as any other fees due in processing this response, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,


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